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Midgette v. Wal Mart Stores Inc

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NOT PRECEDENTIAL

UNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT

No: 04-1244

MARSHA MIDGETTE,

Appellant

v.

WAL-MART STORES, INC.,

Appeal from the United States District Court
for the Eastern District of Pennsylvania
(No. 01-CV-04277)

District Court: Hon. Franklin Van Antwerpen

Submitted Pursuant to Third Circuit LAR 34.1(a)
January 20, 2005

Before: ALITO, McKEE and SMITH, Circuit Judges.

(Filed: March 3, 2005)

OPINION

PER CURIAM

Marsha Midgette appeals the district court's grant of summary judgment in favor of Wal-Mart Stores, Inc., her former employer. Midgette was severely injured when her husband shot her inside the defendant's Pottstown, Pennsylvania, store after he had purchased ammunition there. Thereafter, Midgette filed this diversity action against Wal-Mart Stores, Inc., alleging various grounds of recovery under state law.

Our review of the district court's grant of summary judgment is plenary. *Huang v. BP Amoco Corp.*, 271 F.3d 560, 564 (3rd Cir. 2001).

Inasmuch as the district court has already set forth the factual and procedural history of this case, it is not necessary to repeat that history here. *See Midgette v. Wal-Mart Stores, Inc.*, 317 F. Supp. 2d 550 (E.D. Pa. 2004). Moreover, the district court, in its Memorandum and Order, has carefully and thoroughly explained its reasons for denying Midgette the relief she seeks and granting summary judgment to the defendants. We need not engage in a redundant analysis simply to reach the same result.

Accordingly, we will affirm the district court substantially for the reasons set forth in the district court's Memorandum without further elaboration.

